

KATHRYN WHALEN

whalenkt@gmail.com

PMB 125

25 NW 23RD PLACE, STE. 6

PORTLAND OR 97210

Phone: 503-504-1232

Fax: 503-228-8397

PRESENT OCCUPATION

Arbitrator

PROFESSIONAL AFFILIATION

American Arbitration Association

Oregon State Bar (Chair, Labor & Employment Section, 2003) (Inactive status October 2007)

Labor and Employment Relations Association (Oregon Chapter President, 2007)

College of Labor and Employment Law, Fellow

EDUCATION

1975 University of Oregon BA Psychology

1977 University of Oregon MA

1981 University of Oregon JD Law

ARBITRATION EXPERIENCE

June 2003-present: Arbitrator

1997-May 2003: Board Member, Oregon Employment Relations Board. Conduct hearings and write decisions in labor and employment disputes under public sector bargaining law, state civil service law, a limited private sector law.

1996-1997 worked part-time doing legal research and writing in labor and employment law at Simon & Oppenheimer, Santa Fe, NM (while attending classes at the University of New Mexico).

1986-1996 (partner 1987-1996) attorney, Bennett & Hartman, Portland, Oregon. Practice limited to labor and employment law, representing union clients and individuals in the private and public sector.

1984-1985 In-house counsel for International Brotherhood of Electrical Workers, Local 125.

1981-1984 Associate attorney at Richardson, Murphy & Tedesco, Portland, Oregon. Practice limited to labor and employment law representing clients in the private and public sector.

INDUSTRIES

Education, health care, hospital/nursing home, lumber, machinery, metal fabrication, nuclear energy, office workers/ clerical police and fire, prison guard, utilities.

ISSUES

Absenteeism, arbitrability, bargaining unit work, conduct (off-duty)/personal, demotion, discipline (non-discharge), discipline (discharge), sex discrimination, drug/alcohol offenses, bonus, holidays, insurance, leave, vacation, grievance disputes, health/hospitalization, hiring practices, job performance, job posting/bidding, layoffs/bumping/recall, management rights, past practices, pension and welfare plans, promotion, safety/health conditions, strikes, slowdowns, work stoppages, subcontracting/contracting out, tenure/reappointment, union security, cost-of-living pay, holiday pay, incentive pay, work hours/schedules/assignments, working conditions/work orders.

PERMANENT PANELS

Puget Sound Area Retail Grocery Agreements

Power Industry panel (termination cases)

SEIU Local 503/OPEU and State of Oregon Department of Administrative Services

Amalgamated Transit Union, Local 587 and King County Department of Transportation (Metro)

Teamsters Local 162, Local 206 and Local 305 and Safeway (Clackamas Distribution Center)

Labor Management Board for Las Vegas Metropolitan Police Department and Las Vegas Police Protection

UAW 4121 University of Washington Panel

Association

Expedited Arbitration Panel for OHSU and AFSCME Council 75, Local No. 328

ARBITRATION ROSTER(S)

American Arbitration Association

Oregon Employment Relations Board, List of Arbitrators

Washington Public Employment Relations Commission, List of Neutrals

Montana Board of Personnel Appeals

Federal Mediation and Conciliation Service

Los Angeles City Employee Relations Board; California Mediation and Conciliation Service

SIGNIFICANT PUBLICATIONS

Scope of Bargaining after Senate Bill 750, Paul B. Gamson and Kathryn T. Whalen, LERC Monograph, Issue No. 14, Labor Education and Research Center, University of Oregon (1996).

Sexual Harassment in the Workplace: Union Liability, Kathryn T. Whalen, LERC Monograph, Issue No. 12, Labor Education and Research Center, University of Oregon (1993). Chapter 6 The Duty to Bargain in Good Faith: ORS 243.672 (1) (e) and (2) (b), Marianna Kanwit and Kathryn T. Whalen, Labor and Employment Law: Public Sector (Oregon CLE 1990).

Oregon's Scope of Bargaining: from Schools to Public Safety, Kathryn T. Whalen and Les Smith LERC Monograph, Issue No. 6, Labor Education and Research Center, University of Oregon, (1987).

PER DIEM FEE

\$1,800 per day (based upon 8 hour day)

DOCKET FEE

None

CANCEL FEE

See Below

Feb 4, 2019, 11:02 AM

CANCEL FEE**GRIEVANCE ARBITRATION**

\$1,800 per day (based upon 8 hour day)

CANCELLATION POLICY

\$1,800 per day for each day scheduled that is canceled or postponed with less than 30 days notice prior to the scheduled hearing date.

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TRAVEL TIME

Travel is charged at prorated per diem rate (based upon 8 hour day). Arbitrator charges from the nearest business address.

EXPENSES

Actual costs for transportation (mileage charged at the current IRS rate if own car is used), meals, lodging, copying, fax, and clerical.